

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PRUDENTIAL INVESTMENT MANAGEMENT
SERVICES LLC, and PRUDENTIAL BANK &
TRUST, FSB,

Plaintiffs,

-against-

MICHAEL J. FORDE, MARY JANE FORDE, THE
NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS ANNUITY FUND, PAUL
TYZNAR, JOHN DELOLLIS, CATHERINE
CONDON, DAVID T. MEBERG, PAUL
O'BRIEN, KEVIN O'CALLAGHAN, JOSEPH S.
KAMING, CHRISTOPHER WALLACE,
STEPHEN MCINNIS, JOHN SHEEHY, PAUL
CAPURSO, and MICHAEL CAVANAUGH,

Defendants.

12 CV 5168 (LAP) (GWG)

**NOTICE TO CLERK
PRESCRIBED BY
PARAGRAPH 3 OF
STIPULATION
AND ORDER
ENTERED JULY 8, 2019**

WHEREAS, paragraph 2 of the Stipulation and Order of Settlement and Dismissal With Prejudice entered on the docket of the above-captioned case on July 8, 2019 (Doc. 67) (the "Stipulation and Order") provides in pertinent part that Prudential* shall return to the Annuity Fund 72.5% of the current value of the IRA; and

WHEREAS, paragraph 3 of the Stipulation and Order provides that the Annuity Fund's counsel shall promptly notify the Clerk of the Court once Prudential has complied with paragraph 2 of the Stipulation and Order; and

WHEREAS, paragraph 3 of the Stipulation and Order further provides that, upon receipt of such notification, the Clerk of the Court is authorized and directed to return the Interpleader Bond to Prudential,

* Unless otherwise stated, capitalized terms herein have the meanings ascribed to them in the Stipulation and Order.

NOW THEREFORE, pursuant to paragraph 3 of the Stipulation and Order, the undersigned counsel for the Annuity Fund hereby notifies the Clerk of the Court that Prudential has complied with paragraph 2 of the Stipulation and Order.

Dated: New York, New York
July 16, 2019

Respectfully submitted,

VIRGINIA & AMBINDER, LLP

By: /s/ Marc A. Tenenbaum
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*Counsel for Defendants The New York City District Council
of Carpenters Annuity Fund, Paul Tyznar, John DeLollis,
Catherine Condon, David T. Meberg, Paul O'Brien, Kevin
O'Callaghan, Joseph S. Kaming, Christopher Wallace,
Stephen McInnis, John Sheehy, Paul Capurso, and Michael
Cavanaugh*